

2019 FEB 26 PM 2:55
Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554

In re Interference Complaint

**MOUNTAIN COMMUNITY
TRANSLATORS, LLC**

FM Translator Station K243BN
Laveen, Arizona

) File No. BLFT-20171211AAV
)
)
) Facility Identification Number 92373
)
) Reference Number 1800B3-KV

To: Federal Communications Commission
Attn: Chief, Audio Services Division, Media Bureau

Accepted / Filed

February 19, 2019

FEB 19 2019

ADDITIONAL RESPONSE

Federal Communications Commission
Office of the Secretary

Mountain Community Translators, LLC ("MCT") hereby files this additional response to the Commission Staff Letter dated May 14th, 2018 regarding complaints alleging that FM translator station K243BN, Laveen, Arizona, Facility Id. No. 92373, is causing interference to the direct over the air reception of KIKO-FM, Claypool, Arizona, Facility Id. No. 11894, in violation of Section 47 CFR § 74.1203 of the Commission's Rules. This additional response is being made in response to two Supplemental Interference Complaints received from ITV.COM, Inc ("1TV"), one filed on December 11, 2018, and the second being filed on February 7th, 2019. In both of these supplements, 1TV has included one new alleged new interference complaint.

As instructed by the Commission letter in footnote 9, if MCT received any additional complaints, it must respond within 30 days to those interference complaints. However, as will be documented, neither of the additional 1TV complaints correctly identify the alleged new listener. MCT also believes that any previous interference complaints filed by 1TV, licensee of KIKO-FM Claypool, AZ, are no longer valid since KIKO-FM has recently commenced operating with

new modified facilities, upgrading from channel 243C2 to channel 243C. 1TV has submitted confusing and misleading information with its latest filings. MCT will also document how it has received filings in the mail that are not the same as the FCC received and posted on the CDBS. MCT will also show that the operation of KIKO-FM has been intermittent at best. In support thereof, the following is respectfully submitted.

INTRODUCTION

MCT is the licensee of K243BN Laveen, Arizona. It has been operating at the same Shaw Butte communications tower site on channel 243D (96.5 mhz) since July 26th, 2012. ITV changed its channel of operation of KIKO-FM Claypool from channel 247C2 to channel 243C2 from the same transmitter site on August 11th, 2017. ITV filed an Interference Complaint against K243BN on March 19th, 2018 (some 7 months after it commenced operation on channel 243C2) and provided a list of three listener complaint forms. MCT filed an Objection to the Interference Complaint on March 29th, 2018. The Commission sent a letter to MCT dated May 14th, 2018 requiring it to respond to the three interference complaints supplied by ITV within 30 days. MCT filed a Response to the Commission's letter on June 12th, 2018. ITV filed a Supplement to its Interference Complaint that MCT received on June 4th, 2018 identifying three additional listener complaints. MCT filed a response to the supplement interference complaint on July 2nd, 2018. 1TV now attempts to file an additional interference complaint on December 11th, 2018 and February 7th, 2019.

DISCUSSION

MCT received a copy of the 1TV December, 2018 supplement interference complaint under section 74.1203 ("December Complaint") in the USPS mail on or about December 8th, 2018. The December Complaint is dated December 5th, 2018. A copy of the envelope and

contents are attached as Exhibit A. Exhibit B is a copy of the 1TV December, 2018 supplement interference complaint under section 74.1203 which was marked received by the FCC mailroom, on December 11th, 2018. As can be seen, there is a substantial difference between these two filings. 1TV then filed a January, 2019 supplement interference complaint under section 74.1203 ("January Complaint") dated January 31st, 2019, and received by the FCC mailroom on February 7th, 2019. In the January Complaint, 1TV states: *"In reviewing the CDBS it appears that possibly not all of the entire December 11, 2018 1TV.COM complaint was not scanned in to the CDBS to make sure the complaint includes the December 11, 2018 interference complaint see December 11, 2018 supplemental ATTACHMENT ONE attached hereto"*. Apparently, the Commission received an incomplete or incurred a scanning error of the 1TV December Complaint. However, MCT appears to have received in the mail a complete copy of the December Complaint. In an attempt to correct this issue, 1TV attaches a copy of the purported December Complaint to its January Complaint, see exhibit C attached.

What is very troubling when comparing all three of the 1TV December Complaints, the one received by the Commission, the one received in the mail by MCT, and finally the one attached to the January Complaint, all three are very different (See Exhibits A, B and C attached). The most glaring difference is the copy of the alleged listener complaint from Mike James¹. While 1TV states in its January Complaint that it is providing a duplicate copy of December Complaint, MCT notes the attached listener complaint is notably different, despite both having the same October 19th, 2018 at 8:40pm date and time. While some of the context of the complaint appears to be the same, many statements have been omitted or altered.

¹ In both the December Complaint and the January Complaint, 1TV sometimes identifies the listener as "Martin James" and at other times refers to the listener as "Mike James". MCT submits that because of the conflicting statements submitted by 1TV it is unclear as to the true identity of the alleged listener complaint.

Also very troubling is the almost complete difference in the signed declaration of “Doug Pelley” engineer KIKO(FM) received by MCT and the one received by the Commission in the January Complaint. MCT would like to know which declaration submitted by Mr. Pelley is the correct one. Both of Mr. Pelley’s declarations are full of inaccuracies and confusing at best. In the declaration from the received December Complaint by MCT, Mr. Pelley states: *“Moreover, this instant matter is extremely severe because Mountain Community Translators, LLC FM Translator Station K243BP, Channel 243 (96.5 MHz), Casa Grande Arizona, Facility ID No. 146671, and Mountain Community Translators, LLC FM Translator Station K243BN, Channel 243 (96.5 MHz), Laveen, Arizona, Facility ID No. 92373 are both Co-Channel to a full power KIKO(FM), Channel 243C2 (96.5 MHz), Claypool, Arizona, Facility ID No. 11894”*. Mr. Pelley goes on to later state *“A perfect example of Mountain Community Translators, LLC flagrant attempt to surreptitiously undermine the FCC interference rules are palpable: Mountain Community Translators, LLC recently filed BMPFT-20180302ABA, K243BP seeking to relocate to an adjacent tower site on the same Sacaton Mountain communications site and remain a “fill-in” KLVA(FM) Maricopa, Arizona, facility ID 2749. K243BP known to many Listeners as K-LOVE.”* He goes on to state: *“The new proposed operation of K243BP specifies a maximum Effective Radiated Power of 0.25 kilowatts (250 watts). The increase power to (250) watts will only exacerbate the interference with the fill power Co-Channel KIKO(FM), Channel 243C2 (96.5 MHz), Claypool, Arizona, Facility ID No. 11894. This offers further proof of Mountain Community Translators, LLC. total disregard for FCC interference rules to increase the level interference to the direct reception of a full power radio station listeners KIKO(FM).*

Listeners location on map: The following is a map showing the locations of interference pursuant to Martin James October, 2018 complaint. The map provided shows the interference that is strong all along the Loop202 from Brown Road to Greenfield.

"The foregoing is true and correct, to the best of my personal knowledge, information, and belief, under penalty of perjury." Then signed and dated by Doug Pelley, 12-5-2018.

These statements are factually flawed. First, K243BP (now K271CR) Casa Grande, AZ, ceased broadcasting on channel 243D (96.5 MHz) by its former owner by STA authority on May 15th, 2017 (BLSTA-20170607AAE). MCT acquired the silent K243BP that Mr. Pelley references on June 30th, 2017. MCT did not assume a previous tower site lease for K243BP with the acquisition of K243BP. Because of the grant of KIKO-FM's channel change to 243C2, and the subsequent license application, BLH-20170620ABG, the operation of K243BP would have prohibitive contour overlap with KIKO-FM. Thus, MCT filed a form 349 application to modify the operation of K243BP to displacement channel 271D (102.1 MHz), BMPFT-20180302ABA. This is the same application Mr. Pelley references in his declaration, but obviously failed to review the application to see that MCT was proposing to operate on a new channel, not channel 243D as Mr. Pelley incorrectly asserts. MCT resumed operation of K243BP as K271CR shortly after it filed its license application to cover the Construction Permit for BMPFT-20180302ABA, license application, BLFT-20180418AIA on April 4th, 2018. K243BP/K271CR was silent and not operational from May 15th, 2017 until April 5th, 2018. KIKO-FM did not commence program test authority on channel 243C2 (96.5 MHz) until August 11th, 2017, with its prior operation being on channel 247C2 (97.3 MHz). Hence, despite Mr. Pelley's claims and accusations against MCT, it would have been impossible for K243BP to cause any interference to KIKO-FM.

In the January Complaint, Mr. Pelley's apparently new and modified signed declaration has yet more inconsistent and misleading statements. Mr. Pelley states: "*KIKO-FM recently filed for a Class C license to cover and K243BN interference is extremely severe*". Mr. Pelley's declaration is dated 12-5-18 not once, but twice. KIKO-FM did file a license to cover its new Class C operation on November 21st, 2018, BLH-20181121AAM. However, since automatic program tests were not allowed under the terms of the associated Construction Permit, BPH-20170620ABH, the Commission did not authorize program test authority to KIKO-FM until December 13th, 2018 (20181121AAV) or some eight (8) days after Mr. Pelley signed his declaration. So for Mr. Pelley to reference a new Class C operation by KIKO-FM is somewhat disingenuous as KIKO-FM was not yet fully operational with these new facilities. Mr. Pelley goes on to twice reference a listener complaint pursuant to "Martin James". However, the supplied alleged listener complaint is labeled from a "Mike James". The listener complaint is also not signed.

The supplied listener complaint in both the December Complaint and the January Complaint are dated October 19th, 2018, 8:40pm. As noted above, KIKO-FM recently modified its facilities from channel 243C2 to channel 243C under BPH-20170620ABH, commencing this new operation on or about December 13th, 2018. Thus, because of the new and dramatically modified operation by KIKO-FM, any interference complaints filed prior to this new operation would no longer be valid. MCT has not received any new alleged interference complaints since the new facilities of KIKO-FM were implemented in December 2018.

A review by MCT of a recent filing by KIKO-FM's owner and associated staff members in regards to its Quarterly Issues/Programs filings is quite telling about the consistency and operational patterns of KIKO-FM. Exhibit D attached is a letter received by the FCC mailroom

on January 4th, 2019 from John Low, President, 1TV.com, Inc., licensee of KIKO-FM Claypool, AZ, Facility ID 11894, dated 12-27-2018. In this letter Mr. Low states *“Moreover, the station has encountered significant technical issues that has impacted the station quarterly Radio Issues/Programs from 2013 to the date of this letter. The licensee has also discussed with Mr. Michael Wagner of the Commission’s Media Bureau staff the aforementioned technical issues. Mr. Wagner instructed the licensee to file a statement from the radio staff detailing the technical issues that has impacted the stations, which have been filed as part of the quarterly Radio Issues/Programs reports.”* Exhibit E attached is a copy of the KIKO-FM staff statement dated December 12th, 2018. Some various quotes from the statement are quite telling as to the operational history of KIKO-FM. One quote early in the statement: *“The stations have suffered extreme, repetitive, and severe audio failures and interruptions for well over three years”*. Another quote states: *“The audible effect have resulted in varying degrees from a low-grade hum to, in severe instances, complete program signal drop out of varying degrees with extended duration.”* Lastly this notable quote: *“The repetitive Intermittent bursts and noise can literally annihilate programing for minutes, hours or days, then the programming can be running uninterrupted, and the next moment programing can be annihilated.”* This statement is then signed by four (4) staff members of 1TV with the statement directly above the signatures stating: *“The above statement is true accurate and correct to the best of my knowledge.”* Most notably the statement is signed by the KIKO-FM engineer, Doug Pelley on December 12th, 2018.

Thus, with the admitted, extreme, repetitive, and severe audio failures and interruptions by KIKO-FM over the last three years, and by Mr. Low’s admission in his recent December 27th, 2018 letter that the significant technical issues were continuing as of the date of the his letter to the Commission, MCT submits that any interference complaints filed against its operation of

K243BN Laveen, AZ, should be summarily dismissed due to the now acknowledged intermittent and obvious inconsistent operation of KIKO-FM. Any listener complaints could easily be attributed to the severe audio failures and interruptions by KIKO-FM for the past three years or more.

Lastly, it should be once again noted, that even with the recent class C upgrade of KIKO-FM on channel 243, that there is no prohibited contour overlap as specified under 47 CFR § 74.1204. Exhibit F attached shows that the predicted 40 dB μ interference contour of K243BN will not overlap with the 60 dB μ protected contour of KIKO-FM's class C Construction Permit, or even its pending License Application form 350 facility (which specify lessor facilities than the CP).

CONCLUSION

MCT has previously individually addressed all of the prior filed interference complaints submitted by 1TV in its multiple replies. Despite its reasonable efforts to contact those individuals, none will respond or cooperate with MCT to help it either resolve or verify interference complaints filed against the operation of K243BN. MCT has not attempted to contact the latest 1TV listener complaint. The listener has not signed the complaint, and 1TV has not even correctly identified the alleged listener. MCT has now documented that engineering statements by KIKO-FM's engineer Doug Pelley are misleading and incorrect. MCT has also documented with the new facilities now employed by KIKO-FM, its signal is likely dramatically different from when all of the alleged complaints were filed. Lastly, MCT has documented that the operation of KIKO-FM has been not been consistently and reliably broadcasting programming for at least the last three years according to the staff and owner of

ITV, licensee of KIKO-FM. Thus, MCT respectfully requests that any interference complaints previously filed by ITV be summarily dismissed.

Respectfully Submitted,

By:



Victor A. Michael, Jr.
Sole Member
Mountain Community Translators, LLC
87 Jasper Lake Road
Loveland, CO 80537
(970)669-9200
vicmichael@aol.com

February 19th, 2019

CERTIFICATE OF SERVICE

I, Victor A. Michael, Jr. hereby certify that a copy of the foregoing "Additional Response" was mailed by First Class U.S. Mail, postage prepaid, this 19th day of February 2019, to the following:

John Low, President
1TV.com, Inc.
4501 Broadway
Miami, AZ 85539

Victor A. Michael Jr. (CHE)
Victor A. Michael, Jr.

EXHIBIT A

December 2018 interference complaint received by the Commission from 1TV

DEC 11 2018

2018 DEC 12 PM 2: 31

FCC Mailroom

In re Application

Mountain Community Translators, LLC "MCT"

FM Translator Station K243BN, Channel 243 (96.5

MHz), Laveen, Arizona, Facility ID No. 92373.

Attention: Chief, Audio Division, Media Bureau

Office of the Secretary

445 12th Street, SW,

Room TW-A325

Federal Communications Commission

Washington, DC 20554

Submitted by:

1TV.com Inc.

4501 Broadway

Miami, az 85539

December 5, 2018

DECEMBER, 2018 SUPPLEMENT INTERFERENCE COMPLAINT UNDER SECTION 74.1203

By means of this pleading, 1TV.com Inc the licensee of full-power radio station KIKO (FM), Channel 243C2 (96.5 MHz), Claypool, Arizona, Facility ID No. 11894 is providing a full coverage plotted map for listener.

1TV.Com Inc. submitted a Complaint to the Commission pursuant to FCC rule 47 C.F.R. Section § 74.1203(a) of the Commission's rules, the interference complaint was filed against Construction Permit BLFT-20171005ACG, as recently licensed by the License to Cover File No. BLFT-20171211AAV, is resulting in listeners complaining of interference from the Co-channel K243BN, Channel 243 (96.5 MHz) signal to the received signal of KIKO(FM).

MCT answered the May 14, 2018 FCC letter #1800B3-KV to Mountain Community Translators, LLC: that was due within 30 days of the letter must take appropriate action required by the provision CFR § 74.1203

1TV.com Inc submits that MCT is not taking in substantial action to eliminate the interference. Therefore, should cease operation.

1TV.com Inc continues to receive complaints.

On or about October 20, 2018 1TV.com received another new complaint from Mike James is attached see exhibit 1 attached hereto

On March 19, 2018 1TV.com Inc the licensee of full-power radio station KIKO (FM), Channel 243C2 (96.5 MHz), Claypool, Arizona, Facility ID No. 11894 filed a Interference Complaint

On March 29, 2018, Mountain Community Translators, LLC responded to the instant Interference Complaint.

On April 12, 2018 1TV.com Inc the licensee of full-power radio station KIKO (FM), Channel 243C2 (96.5 MHz), Claypool, Arizona, Facility ID No. 11894 filed a Supplement Interference Complaint.

May 14, 2018 the FCC sent a letter #1800B3-KV to Mountain Community Translators, LLC: that within 30 days of this letter Mountain must take appropriate action required by the provision CFR § 74.1203

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June 1, 2018 MCT answer was on June 1, 2018 MCT "Response"

July 2, 2018 MCT answer was on July 2, 2018 MCT "Additional Response"

1TV.com Inc has received additional Interference Complaints See attached **Exhibit 1** Listener Complaint, incorporated by reference hereto **Exhibit 1** and a potted google earth map with engineer declaration as **Exhibit 2**.

As part of the interference complaint Doug Pelley declaration will provide a full plotted google map of locations listeners reception who has expressed concern over the loss of reception that results from K243BN operating on Channel 243 (96.5 MHz). Translator FM K243BN Facility ID No. 92373 which is causing interference to the reception of full power KIKO (FM) pursuant to the listener complaints. See attached Listeners Complaints, incorporated by reference hereto Exhibit 1 and potted google earth map with engineer declaration as Exhibit 2.

CONCLUSION

This additional listener complaint offers overwhelming proof that Translator FM translator K243BN is the root of the interference to the reception of KIKO(FM) . Pursuant to FCC staff where an interference complaint has been

filed by a bona-fide listener and the interference damages the direct reception by the the off-the air signal

of any authorized broadcast station, FCC rule 47 C.F.R. § 74.1203 is activated.

In the case of 47 C.F.R. § 74.1203, qualified interference complaints, the licensee must resolve the


complaint or terminate the FM translator operations. The interference has continued for months and K243BN should be compelled to terminate operation. The Rules regarding FM translators restrict FM translator stations to operate strictly on a secondary basis and limit their service. Section 74.1203(a)(3) of the Rules will shall not be permitted to operate if it causes interference. 1TV.com has provided numerous actual interference complaints including the most recent October, 2018 complaint from Mr. Martin James.

MCT continues to violate FCC rule 47 C.F.R. Section § 74.1203(a) and with this recent complaint it is abundantly clear that MCT has nothing to stop the interference. Pursuant to FCC rule 47 C.F.R. Section § 74.1203(a) and more MCT should be order to terminate operation of K243BN.

Where an interference complaint has been filed by a bona-fide listener and the interference damages the direct reception by the the off-the air signals of any authorized broadcast station, FCC rule 47 C.F.R. § 74.1203 is activated. In the case of 47 C.F.R. § 74.1203, qualified interference complaints, the licensee must resolve the complaint or termination of the FM translator operations.

This matter has persisted for over six months and listeners are still receiving interference. 1TV.com respectfully requests that the Commission issues and order order instructing MCT to terminate operation of K243BN

Listeners location on map see attached:


Respectfully submitted
John Low
1TV.com Inc.
4501 Broadway
Miami, az 85539
v.low@att.net

CERTIFICATE OF SERVICE

I hereby certify that I have, this 5th day of Dec 5, 2018, sent, by United States Certified Mail, postage prepaid, a physical copy of the foregoing **INTERFERENCE COMPLAINT UNDER SECTION 74.1203**, to:

Mountain Community Translators, LLC
87 Jasper Lake Road
Loveland CO 80537

Re: FM Translator Station K243BN, Channel 243 (96.5 MHz), Laveen, Arizona



John Low President
1TV.com Inc.
4501 Broadway
Miami, Az. 85539

EXHIBIT ONE MARTIN JAMES LISTENER COMPLAINT

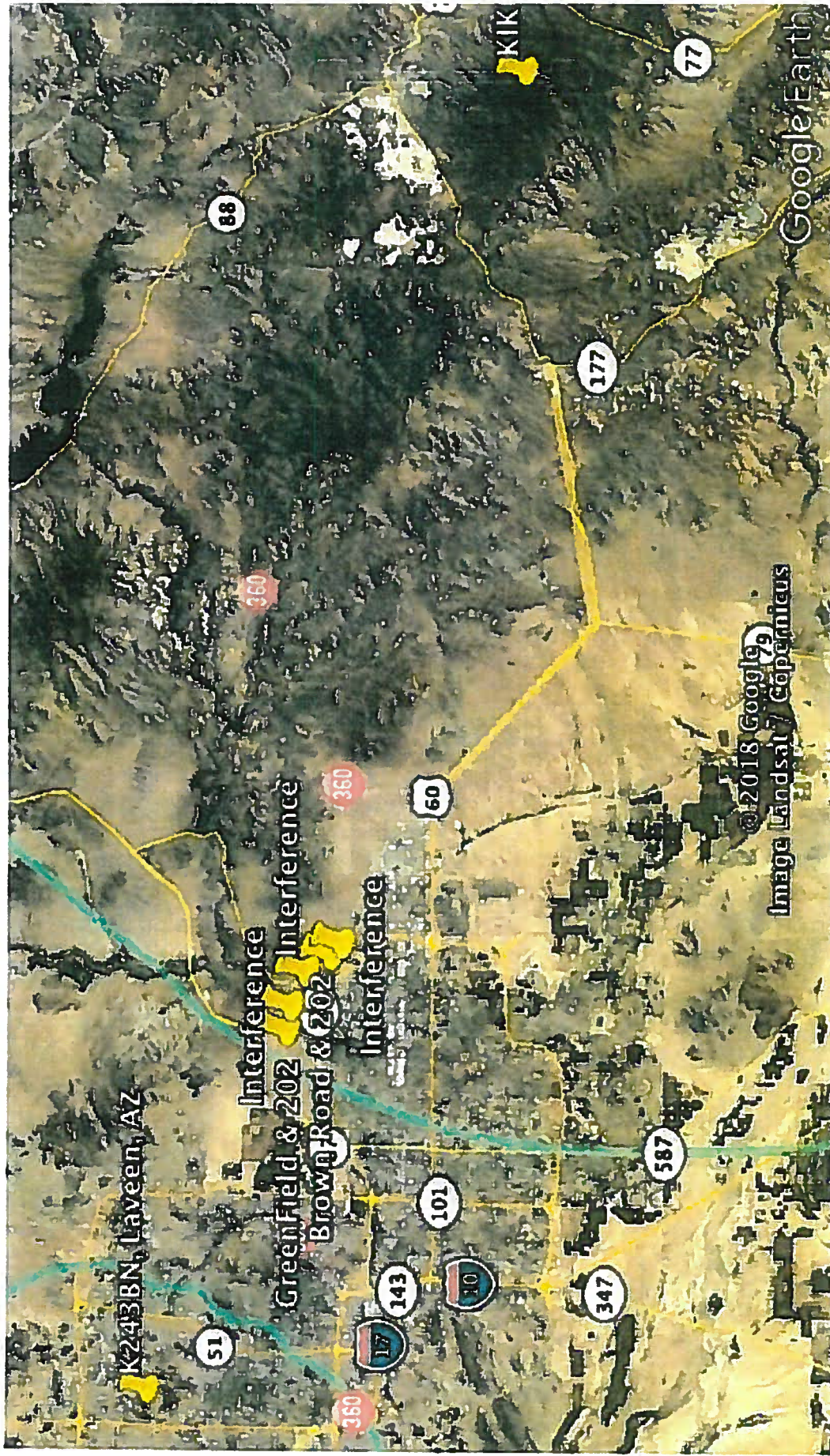


EXHIBIT B

December 2018 interference complaint received by MCT

In re Application

Mountain Community Translators, LLC "MCT"

FM Translator Station K243BN, Channel 243 (96.5

MHz), Laveen, Arizona, Facility ID No. 92373.

Attention: Chief, Audio Division, Media Bureau

Office of the Secretary
445 12th Street, SW,
Room TW-A325
Federal Communications Commission
Washington, DC 20554

Submitted by:
1TV.com Inc.
4501 Broadway
Miami, az 85539

December 5, 2018

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of any authorized broadcast station, FCC rule 47 C.F.R. § 74.1203 is activated.

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complaint or terminate the FM translator operations. The interference has continued for months and K243BN should be compelled to terminate operation. The Rules regarding FM translators restrict FM translator stations to operate strictly on a secondary basis and limit their service. Section 74.1203(a)(3) of the Rules will shall not be permitted to operate if it causes interference. 1TV.com has provided numerous actual interference complaints including the most recent October, 2018 complaint from Mr. Martin James.

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Where an interference complaint has been filed by a bona-fide listener and the interference damages the direct reception by the the off-the air signals of any authorized broadcast station, FCC rule 47 C.F.R. § 74.1203 is activated. In the case of 47 C.F.R. § 74.1203, qualified interference complaints, the licensee must resolve the complaint or termination of the FM translator operations.

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Listeners location on map see attached:



Respectfully submitted

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Mountain Community Translators, LLC
87 Jasper Lake Road
Loveland CO 80537

Re: FM Translator Station K243BN, Channel 243 (96.5 MHz), Laveen, Arizona



John Low President
ITV.com Inc.
4501 Broadway
Miami, Az. 85539

EXHIBIT ONE MARTIN JAMES LISTENER COMPLAINT

I am a regular listener of the station KIKO (FM) at 96.5 MHz from the following area/area(s):*/

Mesa, Arizona

I received a listenable KIKO signal on my radio from the above location(s) and : I have been a listener since KIKO was on 97.3 which I could hear fine from the above location.. However, my reception of the KIKO signal (now on 96.5 MHz) is now being interfered with by another station signal bleeding over 96.5 MHz. I wish to continue to regularly listen to KIKO at the above location without being subject to interference caused by the interfering signal (96.5, translator K243BN, facility ID 76329).

Other than being a regular listener of KIKO, I am not connected with or employed by the licensee of KIKO. I understand that this statement may be filed with the Federal Communication Commission to protect the KIKO signal and state under penalty of perjury that this statement is true and accurate.

Signed: _____ Printed

Name: Mike James

Address: 4050 E Fairfield St, Mesa AZ 85205

Daytime Phone number: 916-730-2995

Date and locations of

interference: Friday, Oct 19, 2018, 8:40pm

The location description is the physical address of regular listening at home. Work, etc.

If regular listening location is in a vehicle, then the location description

identifies the points between which the regular listening takes place-such as the two exits or mile markers between which the regular listening takes place., or the cross streets for the road location where the listening regularly takes place.

Type of receiver if listening in car, make of

car Hyundai model of car Tucson year 2015

If listening at home describe the radio or receiver being used:

What type of programing do you hear interfering with KIKO-FM

The interference was the K-Love radio program. This happened on the loop 202 (north side of Mesa). Specifically, the interference peaked at Greenfield & the 202 where the K-Love signal completely overtook the KIKO signal. The interference lessened as I drove south on Greenfield. The interference was strong all along the Loop202 from Brown Road to Greenfield.

**EXHIBIT TWO
DECLARATION & LISTENER
INTERFENE MAP**

Doug Pelley engineer KIKO (FM)

Declaration

Re: Listener Complaint Martin James

In this case of 47 C.F.R. § 74.1203, qualified interference complaint, the licensee must resolve the complaint or terminate the FM translator operations. Moreover, this instant matter is extremely severe because Mountain Community Translators, LLC FM Translator Station K243BP, Channel 243 (96.5 MHz), Casa Grande, Arizona, Facility ID No. 146671, and Mountain Community Translators, LLC FM Translator Station K243BN, Channel 243 (96.5 MHz), Laveen, Arizona, Facility ID No. 92373 are both Co-Channel to a full power KIKO (FM), Channel 243C2 (96.5 MHz), Claypool, Arizona, Facility ID No. 11894.

Also both of Mountain Community Translators mentioned immediately above are broadcasting Christian programming, thus when a KIKO (FM) listener for example: Jo Ann Schald is driving from the San Tan area going west will experience interference from K243BP, Channel 243 (96.5 MHz), Casa Grande, Arizona, Facility ID No. 146671 and as she continues to drive in a westerly direction the listener will be bombarded with interference from Mountain Community Translators, LLC FM Translator Station K243BN, Channel 243 (96.5 MHz), Laveen, Arizona, Facility ID No. 92373.

Mountain Community Translators, LLC FM Translator Station K243BP, Channel 243 (96.5 MHz), Casa Grande, Arizona, Facility ID No. 146671, and Mountain Community Translators, LLC FM Translator Station K243BN, Channel 243 (96.5 MHz),

Laveen, Arizona, Facility ID No. 92373 are both Co-Channel to full power KIKO (FM), Channel 243C2 (96.5 MHz), Claypool, Arizona, Facility ID No. 11894 and are both severely impacting KIKO (FM).

Mountain Community Translators, LLC owner is a engineer, therefore, he is fully aware of the rules and his translators are causing interference but refuses to discontinue operation on both of the aforementioned translators. In fact, it is obvious Mountain Community Translators, LLC goal is to ignore and circumvent the FCC rules.

A perfect example of Mountain Community Translators, LLC flagrant attempt to surreptitiously undermine the FCC interference rules are palpable: Mountain Community Translators, LLC recently filed BMPFT-20180302ABA, K243BP seeking to relocate to an adjacent tower site on the same Sacaton Mountain communications site and remain a “fill-in” KLVA(FM) Maricopa, Arizona, facility ID 2749. K243BP known to many Listeners as K-LOVE.

The new proposed operation of K243BP specifies a maximum Effective Radiated Power of 0.25 kilowatts (250 watts). The increase power to (250) watts will only exacerbate the interference with the full power Co-Channel KIKO (FM), Channel 243C2 (96.5 MHz), Claypool, Arizona, Facility ID No. 11894. This offers further proof of Mountain Community Translators LLC. total disregard for FCC interference rules to increase the level interference to the direct reception of a full power radio station listeners KIKO (FM).

Listeners location on map: The following is a map showing the

locations of interference pursuant to Martin James October, 2018 complaint. The map provided shows the interference that is strong all along the Loop202 from Brown Road to Greenfield.

“The foregoing is true and correct, to the best of my personal knowledge, information, and belief, under penalty of perjury.”

A small, dark, rectangular stamp or signature, likely a handwritten name, positioned above the typed signature.

Respectfully submitted
Doug Pelley
12-5-18

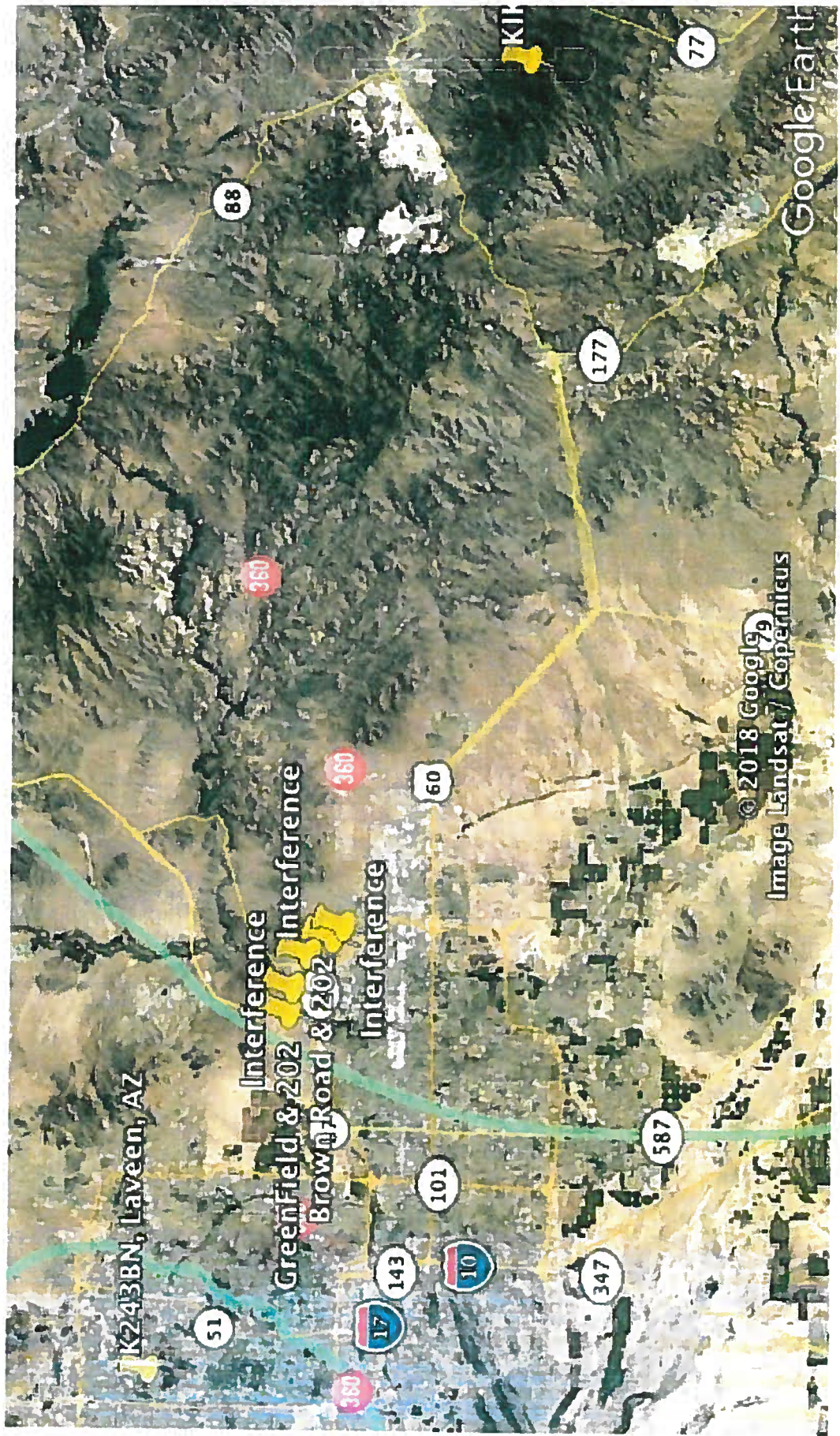


EXHIBIT C

December 2018 interference complaint received at the Commission and by MCT as included in the January 2019 interference complaint supplement from 1TV

445 12th Street, SW,
Room TW-A325
Federal Communications Commission
Washington, DC 20554

Submitted by:
1TV.com Inc.
4501 Broadway
Miami, az 85539

December 5, 2018

DECEMBER, 2018 SUPPLEMENT
INTERFERENCE COMPLAINT UNDER SECTION
74.1203

By means of this pleading, 1TV.com Inc the licensee of full-power radio station KIKO (FM), Channel 243C2 (96.5 MHz), Claypool, Arizona, Facility ID No. 11894 is providing a full coverage plotted map for listener.

ITV.Com Inc. submitted a Complaint to the Commission pursuant to FCC rule 47 C.F.R. Section § 74.1203(a) of the Commission's rules, the interference complaint was filed against Construction Permit BLFT-20171005ACG, as recently licensed by the License to Cover File No. BLFT-20171211AAV, is resulting in listeners complaining of interference from the **Co-channel** K243BN, Channel 243 (96.5 MHz) signal to the

received signal of KIKO(FM).

MCT answered the May 14, 2018 FCC letter #1800B3-KV to Mountain Community Translators, LLC: that was due within 30 days of the letter must take appropriate action required by the provision CFR § 74.1203

1TV.com Inc submits that MCT is not taking in substantial action to eliminate the interference. Therefore, should cease operation.

1TV.com Inc continues to receive complaints.

The following is a multitude of filings and the interference continues.

On March 19, 2018 1TV.com Inc the licensee of full-power radio station KIKO (FM), Channel 243C2 (96.5 MHz), Claypool, Arizona, Facility ID No. 11894 filed a Interference Complaint

On March 29, 2018, Mountain Community Translators, LLC responded to the instant Interference Complaint.

On April 12, 2018 1TV.com Inc the licensee of full-power radio station KIKO (FM), Channel 243C2 (96.5 MHz), Claypool, Arizona, Facility ID No. 11894 filed a Supplement Interference Complaint.

May 14, 2018 the FCC sent a letter #1800B3-KV to Mountain Community Translators, LLC: that within 30 days of this letter Mountain must take appropriate action required by the provision CFR § 74.1203

May 14, 2018 the FCC sent a letter #1800B3-KV to Mountain Community Translators, LLC: that within 30 days of this letter Mountain must take appropriate action required by the provision CFR § 74.1203

June 1, 2018 MCT answer was on June 1, 2018 MCT "Response"

July 2, 2018 MCT answer was on July 2, 2018 MCT "Additional Response"

CONCLUSION

This additional listener complaint by Mike James offers overwhelming proof that Translator FM translator K243BN is the root of the interference to the reception of KIKO(FM) . Pursuant to FCC staff where an interference complaint has been filed by a bona-fide listener and the interference damages the direct reception by the the off-the air signal of any authorized broadcast station, FCC rule 47 C.F.R. § 74.1203 is activated.

Mike James identifies the source of the interference and the map push pins clearly shows the location of the interference. K43BN in clearly causing interference with KIKO.

In the case of 47 C.F.R. § 74.1203, qualified interference complaints, the licensee must resolve the

complaint or terminate the FM translator operations. The interference has continued for months and K243BN should be compelled to terminate operation. The Rules regarding FM translators restrict FM translator stations to operate strictly on a secondary basis and llimi their service. Section 74.1203(a)(3) of the Rules will shall not be permitted to operate if it causes interference. 1TV.com has provided numerous actual

interference complaints including the most recent October, 2018 complaint from Mr. Martin James.

MCT continues to violate FCC rule 47 C.F.R. Section § 74.1203(a) and with this recent complaint it is abundantly clear that MCT has nothing to stop the interference. Pursuant to FCC rule 47 C.F.R. Section § 74.1203(a) and more MCT should be order to terminate operation of K243BN.

Where an interference complaint has been filed by a bona-fide listener and the interference damages the direct reception by the the off-the air signals of any authorized broadcast station, FCC rule 47 C.F.R. § 74.1203 is activated. In the case of 47 C.F.R. § 74.1203, qualified interference complaints, the licensee must resolve the complaint or termination of the FM translator operations.

This matter has persisted for over six months and listeners are still receiving interference. 1TV.com respectfully requests that the Commission issues and order order instructing MCT to terminate operation of K243BN

Listeners location on map see attached:

Respectfully submitted
John Low
1TV.com Inc.
4501 Broadway

Miami, az 85539
v.low@att.net

Doug Pelley engineer KIKO (FM)
Declaration
Re: Listener Complaint Martin James

In this case of 47 C.F.R. § 74.1203, qualified interference complaint, the licensee must resolve the complaint or terminate the FM translator operation of Facility ID No. 92373.

Moreover, this instant matter is extremely severe because Mountain Community Translators, LLC Translator Station K243BN, Channel 243 (96.5 MHz), Laveen, Arizona, Facility ID No. 92373 is Co-Channel to a full power KIKO (FM), Channel 243C2 (96.5 MHz), Claypool, Arizona, Facility ID No.

11894. KIKO-FM recently filed for a Class C license to cover and K243BN interference is extremely severe.

Thus, Translator Station K243BN, Channel 243 (96.5 MHz), Laveen, Arizona, Facility ID No. 92373 is Co-Channel to full power KIKO (FM), Channel 243C2 (96.5 MHz), Claypool, Arizona, Facility ID No. 11894 and is severely impacting KIKO (FM).

Mountain Community Translators, LLC owner is a engineer, therefore, he is fully aware of the rules and his translators are causing interference but refuses to discontinue operation on both of the aforementioned translators. In fact, it is obvious Mountain Community Translators, LLC goal is to ignore and circumvent the FCC rules.

A perfect example of Mountain Community Translators, LLC flagrant attempt to surreptitiously undermine the FCC interference rules are palpable:

This offers further proof of Mountain Community Translators LLC. total disregard for FCC interference rules to increase the level interference to the direct reception of a full power radio station listeners KIKO (FM).

Listeners location on map: The following is a map showing the locations of interference pursuant to Martin James October, 2018 complaint. The map provided shows the interference from K243BN is strong all along the Loop202 from Brown Road to Greenfield.

Respectfully submitted Doug Pelley 12-5-18

Listeners location on map: The following is a map showing the locations of interference pursuant to Martin James October, 2018 complaint. The map provided shows the interference that is strong all along the Loop202 from Brown Road to Greenfield.

“The foregoing is true and correct, to the best of my personal knowledge, information, and belief, under penalty of perjury.”



Respectfully submitted
Doug Pelley
12-5-18

Listener Complaint Martin James

I am a regular listener of the station KIKO (FM) at 96.5 MHz
from the following area/area(s):*/

I received a listenable KIKO signal on my radio from the above
location(s) and : I have been a listener since KIKO was on 97.3
which I

could hear fine from the above location.. However, my reception
of the

KIKO signal (now on 96.5 MHz) is now being interfered with
by

another station signal bleeding over 96.5 MHz. I wish to
continue to

regularly listen to KIKO at the above location without being
subject to

interference caused by the interfering signal (96.5, translator
K243BN,

facility ID 76329).

Other than being a regular listener of KIKO, I am not connected
with or

employed by the licensee of KIKO. I understand that this
statement may

be filed with the Federal Communication Commission to protect
the

KIKO signal and state under penalty of perjury that this
statement is true

and accurate.

Signed: _____

Printed

Mike James

Address: _____

—

4050 E Fairfield St, Mesa AZ 85205

916-730-2995

Daytime Phone

number: _____ Date and

locations of

interference: _____

The location description is the physical address of regular listening at home. Work, etc.

If regular listening location is in a vehicle, then the location description

Friday, Oct 19, 2018, 8:40pm

identifies the points between which the regular listening takes place-such as the two exits or mile markers between which the regular listening takes place., or the cross streets for the road location where the listening regularly takes place.

Type of receiver if listening in car, make of

car_H_yu_n_da_i_____model of

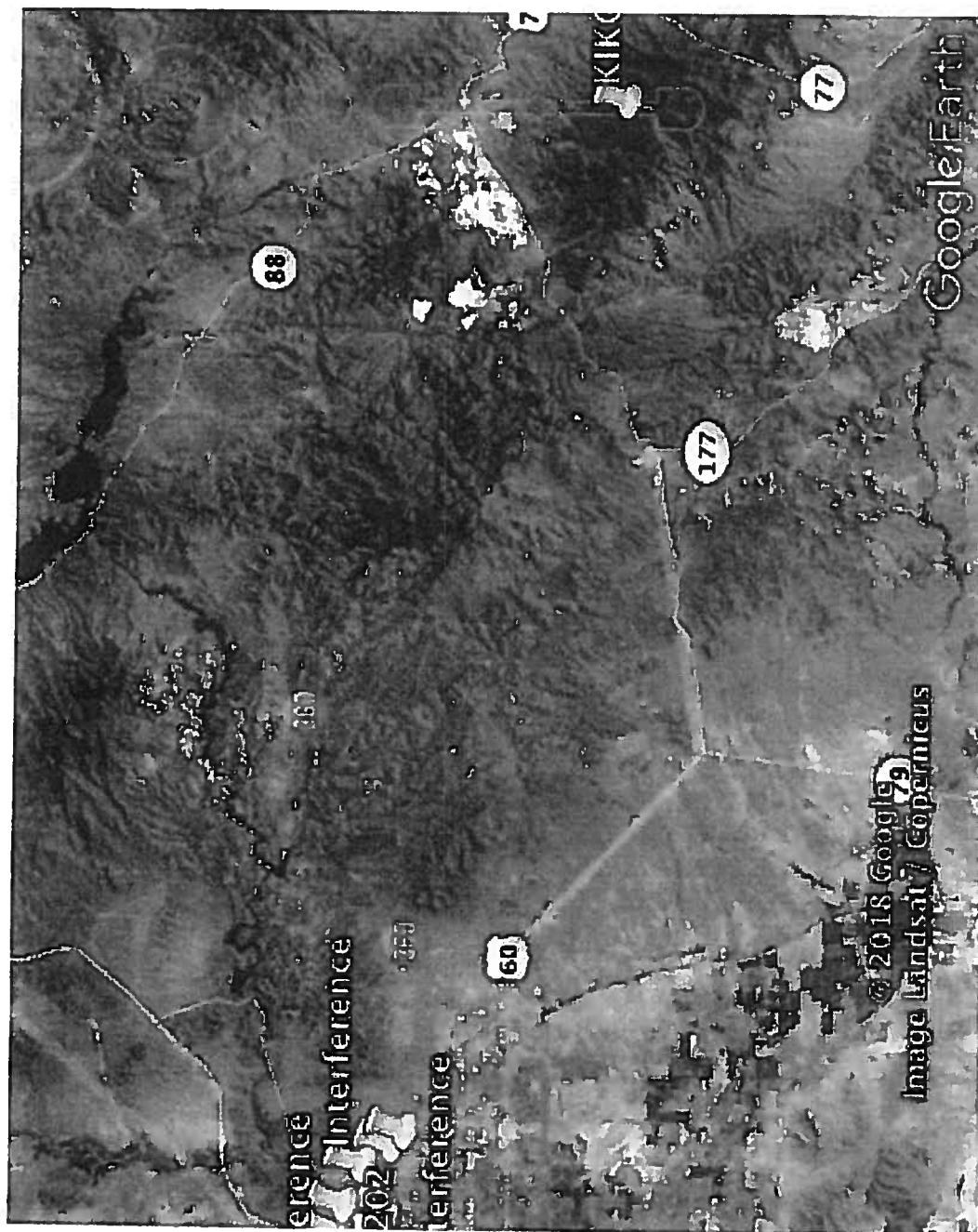
car_T_u_cs_o_n_____year_2_01_5____

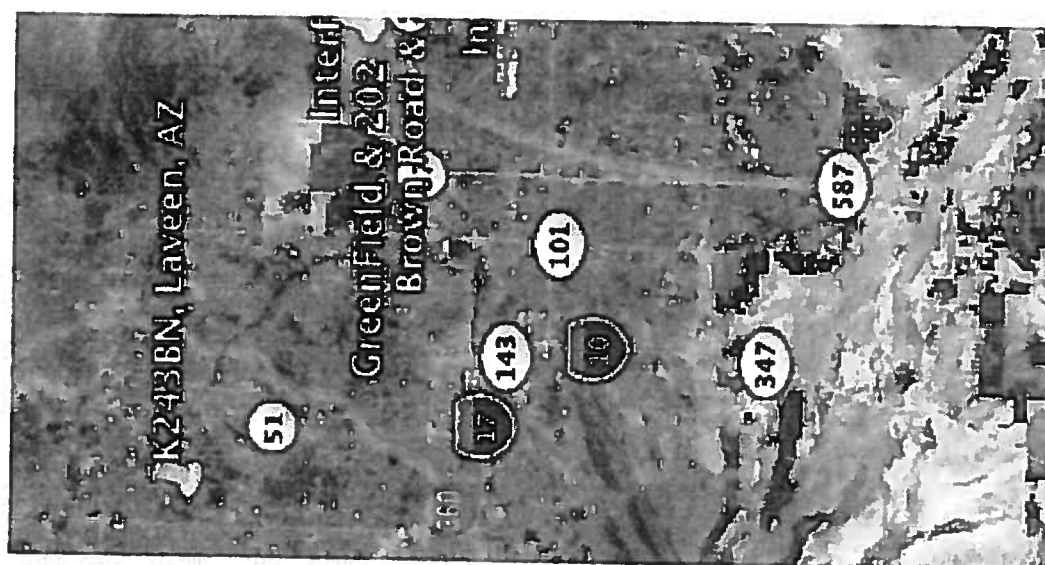
If listening at home describe the radio or receiver being used:

What type of programing do you hear interfering with KIKO-FM

The interference was the K-Love radio program. This

happened on the loop 202 (north side of Mesa). Specifically, the interference peaked at Greenfield & the 202 where the K-Love signal completely overtook the KIKO signal. The interference lessened as I drove south on Greenfield. The interference was strong all along the Loop202 from Brown Road to Greenfield.





ATTACHMENT TWO



Federal Communications Commission
Washington, D.C. 20554

May 14, 2018

In Reply Refer to:
1800B3-KV

Mountain Community Translators, LLC
87 Jasper Lake Road
Loveland, CO 80537

In re: K243BN, Laveen, AZ
File No. BLFT-20171211AAV
Facility ID No. 92373

Interference Complaint – Response Required

Dear Licensee:

This refers to the "Interference Complaint Under Section 74.1203" (Interference Complaint)¹ filed on March 19, 2018, by 1TV.com, Inc. (1TV), licensee of Station KIKO-FM, Claypool, Arizona.² In the Interference Complaint, 1TV alleges that FM Translator Station K243BN, Laveen, Arizona (K243BN or Station), licensed to Mountain Community Translators, LLC (Mountain or Licensee), is interfering with the reception of Station KIKO-FM.³

On March 29, 2018, Mountain responded to the Interference Complaint by filing an "Objection to Interference Complaint" (Objection). In the Objection, Mountain argues that: (1) 1TV has not demonstrated that the listeners can receive KIKO-FM on its current channel 243C2,⁴ and (2) it does not need to address the listener complaints because they are "deficient."⁵

Pursuant to 47 CFR § 74.1203 of the Rules, K243BN is required to eliminate any actual interference it causes. Therefore, it is necessary for Mountain to submit a detailed report (Interference Response) on each listener complaint even if an individual listener has previously filed a complaint in a different interference proceeding that Licensee has addressed. For each listener complaint, the Interference Response must include: (1) the name and address of the complainant; (2) specific devices

¹ All pleadings referenced herein are available at the Media Bureau's Consolidated Database (CDBS) under the Station's License Application, File No. BLFT-20171211AAV.

² The station is licensed to operate at Claypool, Arizona on Channel 243C2, pursuant to BLH-20170620ABG.

³ In support of the interference allegations, 1TV includes listener complaints. Interference Complaint, Exh. 2. Additionally, on April 12, 2018, 1TV filed a "Supplement Interference Complaint Under Section 74.1203" containing a map of locations where listeners experienced interference.

⁴ Mountain claims that the "complaints appear to be from listeners who could regularly receive the station from KIKO-FM's former channel (97.3 Mhz), but not its current channel (96.5 Mhz). 1TV has not demonstrated that the complainants can regularly receive KIKO-FM's signal from its current channel." Objection at 2.

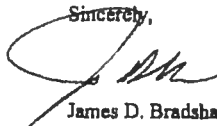
⁵ Mountain contends "[e]ach of the complaints contains boilerplate language" and were actively solicited by 1TV.

receiving the interference (*i.e.* type of device, manufacturer's name, model number, and serial number); and (3) any assistance provided by the Station for each device allegedly receiving the interference and whether such interference persists. Each of the listener complaints must be addressed individually.

The Rules regarding FM translators restrict FM translator stations to operate strictly on a secondary basis and limit their service. Section 74.1203(a)(3)⁶ of the Rules states that an FM translator station will not be permitted to continue to operate if it causes any actual radio signal interference to the direct reception by the public of the off-the-air signals of any authorized broadcast station.⁷ Actual interference is based on listener complaints indicating that the signal they regularly receive is being impaired by the signal radiated by the FM translator station. Section 74.1203(b)⁸ of the Rules states that if the interference cannot be properly eliminated by the application of suitable techniques, the operation of the offending FM translator station shall be suspended and shall not be resumed until the interference has been eliminated.

Within thirty days of this letter, Mountain must take appropriate actions required by the provisions of 47 CFR § 74.1203 to resolve all complaints of interference to fulfill its obligations and submit its Interference Response.⁹ Further action on the Interference Complaint will be withheld for a period of thirty days from the date of this letter to provide Mountain an opportunity to respond. Failure to correct all complaints within this time may require Station K243BN to suspend operation pursuant to 47 CFR § 74.1203 of the Rules.

Sincerely,



James D. Bradshaw
Senior Deputy Chief
Audio Division
Media Bureau

cc: John Low (by email)
A. Wray Fitch III, Esq. (by email)

⁶ 47 CFR § 74.1203(a)(3).

⁷ An FM translator station creating actual radio signal interference to any authorized broadcast station is obligated to eliminate the interference, regardless of the location where the impaired signal reception occurs.

⁸ 47 CFR § 74.1203(b).

⁹ Mountain should send a courtesy email to Kim Varner at kim.varner@fcc.gov and James Bradshaw at james.bradshaw@fcc.gov. Additionally, the obligation to resolve interference complaints is ongoing. Specifically, should any complaints be filed in the future, Licensee must resolve or address those complaints within 30 days of receipt.

EXHIBIT D

Copy of letter sent to the Commission by John Low owner of KIKO-FM

Office of the Secretary
Federal Communications Commission
445 12th Street, SW,
Room TW-A325
Washington, DC 20554
December 27, 2018

Received & Inspected

JAN 04 2019

FCC Mailroom

ATTN: Media Bureau (Audio)

RE: Local Public Inspection File
KIKO(FM) Claypool, AZ
FACID 11894

Dear Madam Secretary:

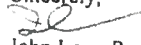
This is to notify the FCC concerning the status of the station KIKO(FM) local public inspection file.

As outlined on the list attached to this statement, various station quarterly Radio Issues/Programs Lists were uploaded to the Commission's electronic public inspection file in December 2018.

Moreover, the station has encountered significant technical issues that has impacted the station quarterly Radio Issues/Programs from 2013 to the date of this letter. The licensee has also discussed with Mr. Michael Wagner of the Commission's Media Bureau staff the aforementioned technical issues. Mr. Wagner instructed the licensee to file a statement from the radio staff detailing the technical issues that has impacted the stations, which have been filed as part of the quarterly Radio Issues/Programs reports.

In addition, the licensee has reviewed the public inspection file requirements with its station staff and emphasized its importance to ensure future compliance.

Sincerely,


John Low, President
1TV.com, Inc.

DATE: 12-27-2018

Encl.
Station KIKO(FM)

Quarterly Issues/Programs Lists:

2013 4Q to 2018 3Q: list timely prepared and uploaded to electronic inspection file by Dec-2018.

EXHIBIT E

Copy of 1TV/KIKO-FM Staff Statement dated December 12th, 2018 as part of Quarterly
Program/Issues filings for KIKO-FM

| | | |
|--|--|--|
| | | |
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| | | |
| | | |

Staff Statement December 12, 2018

Licensee has discussed with FCC staff how to deal with the filing of the Quarterly Issues/Programs List for KBSZ, KIKO-FM and KIKOAM. The FCC staff suggested that Licensee provide explanations why the stations Quarterly Issues/Programs List are being impacted as follows:

The stations have suffered extreme, repetitive, and severe audio failures and interruptions for well over three years, the stations have encountered but not limited to significant, and repetitive Intermittent bursts and noise of varying degrees, and duration adversely impacting audio programming for protracted periods of time. The audible effect have resulted in varying degrees from a low-grade hum to, in severe instances, complete program signal drop out of varying degrees with extended duration.

This has required extensive work to track and isolate the source(s) of the problems which has still not been located. Significant time and resources have been for long hours trying to identify, mitigate and resolve the tremendous audio issues.

Licensee staff and vendors have spent lengthy hours and days working with RF cabling, electric cabling, IT, ISP, dummy load testing, demarcation points, routing, barix box, other associated

equipment, re-routing cabling, attempt power-ups, isolating RF contributors, RF to servers, worked on designing and assisting to install a faraday cage, extensive internet companies technical crew involvement to isolate the internet issues.

The elusive audio issue is like looking for a needle in a haystack and these audio issues continue to plague and devastate the stations.

Conclusion: the audio issues are overwhelming and impact every aspect of the day to day operation of the radio stations including the Quarterly Issues/Programs List with that in mind the Quarterly Issues/Programs List are significantly impacted.

The repetitive Intermittent bursts and noise can literally annihilate programing for minutes, hours, or days, then the programming can be running uninterrupted, and the next moment programing can be annihilated. In sum, this is vicious cycle that has been impacting programing for an extended period of time as stated herein.

Licensee owns the current studio building, License is now literally in the process of paying for the expense of moving one of the stations, as a test, to another studio location about 20 miles away to reduce the audio chain in hopes of marginalizing the problem, which will hopefully isolate the audio issues. In sum, the stations are suffering significantly due to the audio issues, which includes the Quarterly Issues/Programs List .

The above statement is true accurate and correct to the best of my knowledge.



Lucy Rodriguez

Manager KIKO radio stations

12-12-2018



William Pettus, GM KHSZ, KIKO

Funny 1260AM & Good Time Oldies 96.5FM

12-12-2018



Doug Pelley engineering

12-12-2018

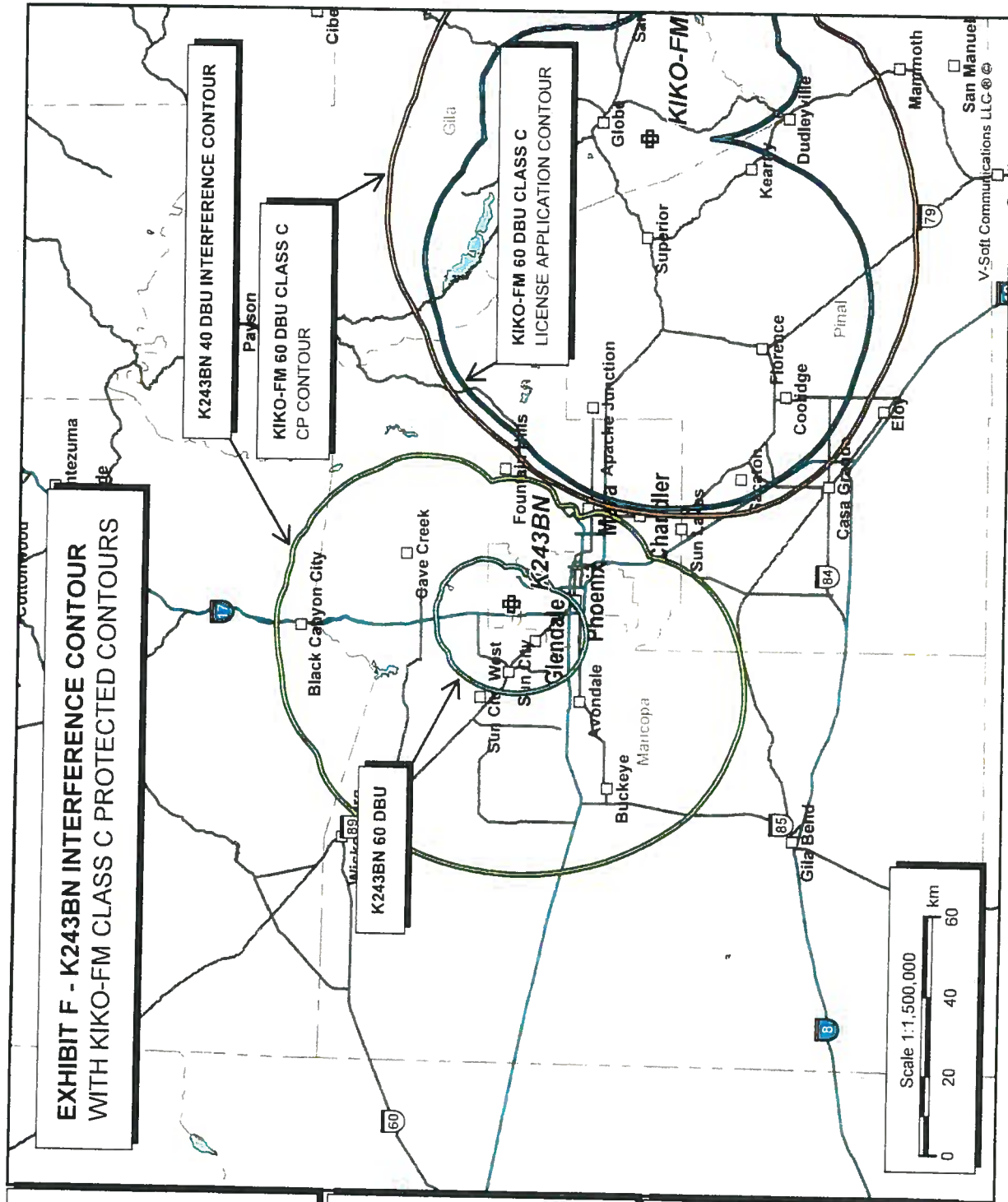


Len Novin Marketing KIKO-KBSZ

12-12-2018

EXHIBIT F

Predicted contours of K243BN and KIKO-FM



K243BN
BLFT20171211AAV
Latitude: 33-35-39.10 N
Longitude: 112-05-08 W
ERP: 0.25 kW
Channel: 243
Frequency: 96.5 MHz
AMSL Height: 669.0 m
Elevation: 645.0 m
Horiz. Pattern: Directional
Vert. Pattern: No
Prop Model:

KIKO-FM.C
BPH20170620ABH
Latitude: 33-17-20 N
Longitude: 110-49-45 W
ERP: 34.00 kW
Channel: 243
Frequency: 96.5 MHz
AMSL Height: 2326.0 m
Elevation: 2302.0 m
Horiz. Pattern: Directional
Vert. Pattern: No
Prop Model:

KIKO-FM Lic.App
BPH20170620ABH
Latitude: 33-17-20 N
Longitude: 110-49-45 W
ERP: 30.00 kW
Channel: 243
Frequency: 96.5 MHz
AMSL Height: 2326.0 m
Elevation: 2302.0 m
Horiz. Pattern: Directional
Vert. Pattern: No
Prop Model: